

**SUPERIOR CHARTER TOWNSHIP
PLANNING COMMISSION
MARCH 26, 2014
APPROVED MINUTES
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3-1 CALL TO ORDER**

Chairman Guenther called the regular meeting to order at 7:30 p.m.

3-2 ROLL CALL

The following members were present: Baker, Gardner, Guenther, Phillips and Steele. (Steele arrived at 7:45 p.m.) Anderson and McGill were absent. Also present were Don Pennington and Rodney Nanney, Township Planners, Jacob Rushlow, Township Engineer and Rick Mayernik, Building/Zoning Administrator.

3-3 DETERMINATION OF QUORUM

A quorum was present.

3-4 ADOPTION OF AGENDA

A motion was made by Phillips and supported by Gardner to adopt the agenda as corrected. The motion carried.

3-5 APPROVAL OF MINUTES

A. MINUTES OF THE FEBRUARY 26, 2014 MEETING

A motion was made by Gardner and supported by Phillips to approve the minutes as corrected. The motion carried.

3-6 CITIZEN PARTICIPATION

There was no Citizen Participation.

3-7 CORRESPONDENCE

There was no Correspondence.

3-8 PUBLIC HEARINGS, DELIBERATIONS AND ACTIONS

A. STPC#13-06 Text Amendments Related to Woodlands and Tree Preservation

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1. Public hearing

A motion was made by Gardner and supported by Phillips to open the public hearing. The motion carried with the following vote:

Yes: Baker, Gardner, Guenther, Phillips
No: None
Absent: Anderson, McGill, Steele
Abstain: None

Nanney highlighted the changes made as the result of the last meeting and referred to his report dated March 12, 2014.

There were no public comments.

A motion was made by Gardner and supported by Phillips to close the public hearing. The motion carried with the following vote:

Yes: Baker, Gardner, Guenther, Phillips
No: None
Absent: Anderson, McGill, Steele
Abstain: None

2. Deliberation

Baker questioned the intent statement of the ordinance suggesting that it did not reflect the Township's previous successes in preserving woodlands. Pennington said the intent statement has not changed since it was first used in the 1970's. Nanney recommended not changing the intent statement and said the intent statement should be strongly worded so that it supports the strict regulations of the ordinance. Baker also questioned that the wording of Section 14.05(F)(7) on p.9. "*No tracked or wheeled vehicles or machines shall be permitted within the area*". She said it could prevent the use of wheel barrows and that was probably not the intention. Guenther suggested adding the word "motorized" before the word "vehicle" to better represent the intent.

Guenther said he was uncomfortable with not requiring tree inventory information until the final site plan. Nanney said that while a full inventory is not required until the final site plan, a general assessment is required with the preliminary site plan. He said the requirement is intended to follow the site plan process of not requiring detailed plans until the final site plan review. Gardner questioned the procedure and said that if the information is important, it should be provided during the preliminary site plan review. Pennington said site plan review has always been a two-step

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process. He said the preliminary site plan is a concept plan and the final site plan is a detailed plan. Guenther said he was concerned that the two-step process is lost when a preliminary site plan approval is used to limit the changes the Planning Commission can require to the final site plan. Pennington said such a situation happened in the past when there was little difference between the preliminary and final site plans. He said previous revisions to the site plan section of the zoning ordinance now make a greater distinction between preliminary and final site plans. He said to better define the preliminary site plan requirement in Section 14.05(F)(3) for a general evaluation of the quality of woodlands, he suggested adding the requirement that the general evaluation at the preliminary site plan stage be made *by means of a reasonable sampling*.

Phillips questioned the required plan information of Section 14.05(F)(3) specifically: *General assessment of trees in adjacent road-rights-of-way, and trees located beyond the lot boundaries that may be affected by development-related access or utility improvements, grading or other changes; with trees identified by location, size, and species*. He asked how the Planning Commission would control trees not on the development site. Guenther said he interpreted the section to mean that the developer could not do anything on the development site that could harm trees on neighboring properties.

Mayernik asked why diseased, undesirable or dying trees had to be considered “regulated” trees. Nanney said that it allowed such trees to be inventoried and if the developer wanted to keep any such tree, he would be required to protect it. Mayernik suggested that dead trees not be regulated by the ordinance. The Planning Commission agreed and added the following sentence under the definition of Tree, Regulated: *Dead trees are not regulated by this ordinance*.

Township Supervisor Ken Schwartz said the revisions to the ordinance were needed to provide clearer definitions and to make sure there is flexibility for the Planning Commission in their reviews.

3. Action

A motion was made by Phillips and supported by Gardner that the Superior Township Planning Commission recommend to the Township Board adoption of STPC#13-06 Amendments to Section 14.05.F. (Natural Features Protection – Woodlands and Tree Preservation), Section 12.10.F. (Condominium Regulations - Trees), and 17.03 (Definitions) of the Zoning Ordinance as presented in the report dated March 12, 2014 and to include minor language revisions suggested by the Planning Commission at the March 26, 2014 meeting.

The motion carried with the following vote:

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Yes: Baker, Gardner, Guenther, Phillips, Steele
No: None
Absent: Anderson, McGill
Abstain: None

3-9 REPORTS

A. Ordinance Officer

A motion was made by Baker and supported by Phillips to receive the report.
The motion carried.

B. Building Inspector

A motion was made by Phillips and supported by Steele to receive the report.
The motion carried.

C. Zoning Administrator

A motion was made by Phillips and supported by Gardner to receive the report.
The motion carried.

3-10 OLD BUSINESS

There was no Old Business.

3-11 NEW BUSINESS

There was no New Business.

3-12 POLICY DISCUSSION

- A. Phillips and Supervisor Schwartz reported on the status of the Rock proposal. Schwartz said the quality of the soil is poor for road building. He said the representatives may consider trying to sell the land to the Ann Arbor Greenbelt.

3 -13 ADJOURNMENT

A motion was made by Phillips and supported by Gardner to adjourn at 9:25 p.m. The motion carried.

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Respectfully submitted,
Porshea Anderson
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